

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

LATOYA CREDIT, EVERETT MATIN,
TYREIK CREDIT, and
SHONDRENIKA CREDIT,

3:11-CV-661-HU

ORDER

Plaintiffs,

v.

DON BONNER, DEPARTMENT OF
HUMAN SERVICES, and JUVENILE
DETENTION CENTER,

Defendants.

LATOYA CREDIT
6017 N. Albina
Portland, OR 97217

Plaintiff, *Pro Se*, and appearing on behalf of each
Plaintiff

BROWN, Judge.

Magistrate Judge Dennis J. Hubel issued Findings and

Recommendation (#4) on June 30, 2011, in which he recommends this Court grant Plaintiffs' Application to Proceed *In Forma Pauperis* (#1), dismiss with prejudice Plaintiffs' Complaint (#2) to the extent that Plaintiffs seek to assert a claim under 42 U.S.C. § 1983 against state agency Defendants Department of Human Services and Juvenile Detention Center, and dismiss without prejudice the remainder of Plaintiff's Complaint. The Magistrate Judge also recommends giving Plaintiffs 30 days to file an amended complaint to cure the deficiencies set out in the Findings and Recommendation.

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983)(rev'd on other grounds). *See also Lorin Corp. v. Goto & Co.*, 700 F.2d 1202, 1206 (8th Cir. 1983). The Court has reviewed the legal principles *de novo* and adopts the Findings and Recommendation.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Hubel's Findings and Recommendation (#4). Accordingly, the Court **GRANTS** Plaintiffs' Application to Proceed *In Forma Pauperis* (#1). The Court **DISMISSES with prejudice** Plaintiffs' Complaint (#2) to the extent that they bring claims against Defendants Department of Human

Services and Juvenile Detention Center under 42 U.S.C. § 1983.

The Court **DISMISSES** the remainder of Plaintiffs' Complaint (#2)

without prejudice and with leave for Plaintiff to file an amended

complaint to cure the deficiencies set out in the Magistrate

Judge's Findings and Recommendation **no later than January 13,**

2012.¹

IT IS SO ORDERED.

DATED this 9th day of December, 2011.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge

¹ The Court assumes without deciding that a person appointed as a representative of minor Plaintiffs Everett Matin, Tyreik Credit, or Shondrenika Credit under Rule 17(c)(1) may proceed *pro se*. See Federal Rule of Civil Procedure 17(c). If necessary, the Court will revisit that issue in the future.